REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejection of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-23 are pending in this application. Claim 14 is hereby cancelled. Claims 1 and 15 have been amended by this response. No new matter has been introduced. Support for this amendment is provided throughout the Specification and Drawings, specifically in paragraphs 0032-0038 of the Specification as originally filed. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. § 102(b) HAVE BEEN OVERCOME

Claims 1-13 and 16-21 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patents No. 5,840,378 to Nagura.

Claims 1-13, 16 and 17 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 2,659,958 to Johnson ("Johnson"), U.S. Patent No. 2,718,791 to Hose et al. ("Hose"), U.S. Patent No. 3,523,867 to MacBean ("MacBean") or U.S. Patent No. 5,422,166 to Fleischer ("Fleischer").

Amended claim 1 recites:

> "A fabric having a fabric caliper, said fabric comprising one or more guides attached to machine direction edges of a wear surface of the fabric so as to encapsulate approximately fifty percent or more of the fabric caliper with guide

material in a region where the guide is attached to the fabric, wherein the guides are substantially v-shaped" (emphasis added)

Applicants respectfully submit that none of the above listed references teach or suggest the above identified feature of claim 1. Specifically, none of Nagura, Johnson, Hose, MacBean and Fleischer discloses or remotely suggests a fabric having a fabric caliper, the fabric comprising one or more guides attached to machine direction edges of a wear surface of the fabric so as to encapsulate approximately fifty percent or more of the fabric caliper with material in a region where the guide is attached to the fabric, wherein the guides are substantially v-shaped, as recited in claim 1.

Therefore, Applicants respectfully request the withdrawal of the §102 rejections and submit that independent claim 1 patentably distinguishes over the cited references and is therefore allowable. Claims 2-13 and 16-21 which depend from claim 1 are allowable therewith

III. REJECTIONS UNDER 35 U.S.C. § 103(a) HAVE BEEN OVERCOME

Claims 14, 15 and 18-21 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over either MacBean or Fleischer in view of U.S. Patent No. 5,558,926 to Tate et al. ("Tate").

Claims 22-23 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Nagura in view of GB 2106557 to Curry et al. ("Curry"). Claims 22-23 were further rejected under 35 U.S.C. §103(a) as allegedly unpatentable over MacBean or Fleischer in view of Tate, and further in view of Curry. Claims 22-23 were further rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Reilly in view of GB 2106557 to Curry et al. ("Curry").

As understood by the Applicants, Tate relates to an endless multilayer fabric with a bending resistant part placed on a trimming part of the fabric to prevent cutting. A bending resistant part is formed by filling a polyurethane resin in internal structure of the endless fabric. A guide protrusion molded from similar polyurethane is arranged on the bending resistant part by

fusion. Tate, specifically, discloses that the amount of the polyurethane to be filled in the bending resistant part is preferably not less than 85% of the fabric space located in the edge area. The amount less than 85% tends not to result in enough bending resistant effect and satisfactory fusion to the guide protrusion. *Tate*, col. 4, lines 40-44.

Turning now to MacBean, MacBean relates to a Fourdrinier wire belt having its marginal edges reinforced by a high tensile strength material strand juxtaposed to the wire and held in place by a plastic material adhering to the strand and wire. Macbean, clearly, discloses that it aims to improve the resistance of the edges of a Fourdrinier wire belt to damage and cracking without materially stiffening the belt or increasing its thickness. *MacBean*, col. 1, lines 23-25.

Therefore, the objective of both these references are contradicting each other, in that Tate teaches that polyurethane amount less than 85% tends not to result in enough bending resistant effect and satisfactory fusion to the guide protrusion, and quite contrary to Tate, MacBean teaches that it aims to improve the resistance of the edges of a Fourdrinier wire belt to damage and cracking without materially stiffening the belt or increasing its thickness. Thus one of ordinary skill in the art, while considering the teachings of one, will not look into the other, because the objectives of both these references are contradicting to each other. Specifically, Tate and MacBean teach away from each other and thus Applicants submit that there is no motivation for one skilled in the art to combine the teachings of Tate and MacBean.

As to Fleischer, it relates to a forming fabric formed with a support surface and a running surface with the running surface having abrasion resistant areas arranged along its length adjacent each of its edges. The abrasion resistant areas comprise abrasion resistant polyurethane impregnated to penetrate and bond with and about the warp and weft filament throughout the thickness of the forming fabric.

Firstly, Fleischer teaches "abrasion resistant strips", and not fabric "guides" as recited in the instant claims. According to the instant invention, the fabric comprises one or more guides attached to machine direction edges of a wear surface of the fabric so as to encapsulate approximately fifty percent or more of the fabric caliper with guide material in a region where the guide is attached to the fabric. There is no suggestion or teaching of the use of "guides" in Fleischer.

Additionally, the primary objective in Fleischer is to improve the abrasion resistance of the fabric and not to install guides on the wear surface of the fabric. Therefore, there is no motivation for one of ordinary skill in the art to modify the teachings of Fleischer in view of Tate. Specifically, there is no motivation for a skilled artisan to install v-guides on the running surface of Fleischer's fabric, when Fleischer lacks the very motivation to do so. Fleischer specifically discloses the use of "polyurethane coating" throughout its disclosure, and one of skill in the art will not be motivated to transform the "coating" of Fleischer to fabric guides in view of Tate.

Therefore, Applicants submit that Tate and Fleischer cannot be combined since Fleischer lacks the very motivation to provide fabric guides in place of its abrasion resistant strips.

Claims 1-21 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 4,008,801 to Reilly et al.

As to Reilly, it relates to a conveyor belt guide comprising a plurality of guide sections, each including an integral polyurethane elongated rib and base web having a width substantially greater than the rib at its juncture with the web. The base web has a fabric backing molded thereon, upon molding of the rib and base web, at the side of the base web opposite the rib. Each

section has tapered ends for cooperating with the ends of adjacent sections to prevent guide stripping.

Reilly, specifically, discloses that each guide section 21 includes an elongated tapered rib 30 and an integral base web 31. The rib 30 and the base web 31 are molded as an integral piece from polyurethane. During the molding operation, a fabric backing 32 of, for example, 15 oz. cotton duck, is applied to the side of the base web 31 opposite the rib 30. Portions of the polyurethane are molded into the interstices of the fabric backing (32) so that the backing is securely and positively attached to the polyurethane. Reilly further teaches that it is important that the fabric (32) be securely held to the polyurethane since the fabric provides the adhesive interface with the conveyor belt. *Reilly*, col. 3, lines 27-42. Therefore, Applicants submit that the Examiner's interpretation of Reilly is misconstrued in light of Reilly's disclosure discussed above. Applicants further submit that the molding into interstices of the fabric that the Examiner refers to is basically between the polyurethane and the fabric backing 32 and not between the guides 21 and the conveyer belt 16. *Id.*, Figs. 1-4.

Thus contrary to the Examiner's suggestion there is no teaching or suggestion of the fabric recited in claim 1 of the instant application in Reiley. Claim 1 patentably distinguishes over Reiley and is therefore allowable. Claims 2-13 and 15-21, which depend from claim 1 are similarly allowable.

For at least the foregoing reasons, Applicants respectfully submit that independent claim 1 patentably distinguishes over the cited references and is therefore allowable. Claims 2-13 and 15-21 which depend from claim 1 are allowable therewith

CONCLUSION

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable over the prior art, and an early and favorable consideration thereof is solicited.

Statements appearing above with respect to the disclosure in the cited reference represent the present opinions of the Applicant's undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,
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